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Subcommittee on Federal Workforce, U.S. Postal Service and the Census Committee on Oversight and Government Reform Hearing on "Oversight of the Federal Workforce: The Viability of the Senior Executive Service"

July 11, 2014

Thank you, Mr. Chairman. I'd like to thank you for holding this hearing to examine issues concerning performance, management, and accountability in the senior executive service. I'd also like to welcome our witnesses and thank you for helping this subcommittee with its work.

Recent reports concerning unacceptable patient wait times and inappropriate scheduling practices at facilities within the Department of Veterans Affairs healthcare system have again underscored the importance of enacting meaningful Veterans reform. In addition, allegations of wrongdoing by senior officials at the Phoenix VA Medical Center and several other VA clinics nationwide have given rise to the question of whether we must also reform the current system under which federal government agencies evaluate and compensate their senior executive personnel and hold them accountable for poor job performance.

In the context of the VA congress has recently undertaken a series of bills that seek to strengthen the department's management of its senior executive service personnel. Included among these efforts is H.R. 4031, the *Department of Veterans Affairs Management Accountability Act*, which passed the House of Representatives by a 390 to 33 margin. This legislation would authorize the Secretary of Veterans Affairs to remove an individual from the senior executive service at will – upon the secretary's determination that the performance of the individual warrants such removal. Most recently, Senator Kelly Ayotte of New Hampshire and Senator Claire McCaskill of Missouri introduced Senate Bill 2545 – legislation to require the Secretary of Veterans Affairs to revoke bonuses paid to any employees involved in the manipulation of electronic patient wait lists.

I would note that these measures are largely based on the management issues that have been cited as specific to the Department of Veterans Affairs. As noted by White House Deputy Chief of Staff Rob Nabors in his June 27th report to President Obama on issues impacting timely care at VA Medical facilities, "*a corrosive culture has led to personnel problems across the department that are seriously impacting morale and, by extension, the timeliness of health care. The problems inherent within an agency with an extensive field structure are exacerbated by poor management and communication structures, distrust between some VA employees and management, a history of retaliation toward employees raising issues, and a lack of accountability across all grade levels.*"

While I strongly believe that we must make every effort to hold accountable those senior agency personnel who are found to be complicit in wrongdoing at the VA, it is my understanding that some of my colleagues across the aisle may now be considering legislation that seeks to dramatically impact the senior executive service across the board – including a proposal that would subject senior executive service personnel at every federal agency to at-will termination without notification, due process, or the right to appeal.

I would urge my colleagues to exercise caution and due diligence before taking such a severe step.

I want to remind my colleagues that such a reform would eliminate one of the first and most significant federal laws to prevent political patronage and corruption – the Pendleton Act passed in 1883.

And thanks to the Pendleton Act, the great majority of our nearly 7,400 career reserved and general members of the senior executive service are dedicated and effective and non-partisan public servants. They are highly-skilled and highly-trained agency leaders who are committed to public service in furtherance of a wide range of agency missions – from inspector general audits and inspections and national security matters to criminal and civil law enforcement and emergency response.

I hope that, in the name of government reform, we don't forget a key lesson from our history and inadvertently return the federal government to an era susceptible to political patronage and corruption.

I look forward to further discussing these and other issues relating to the senior executive service with our witnesses this morning. Thank you, Mr. Chairman. I yield the balance of my time.

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